IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15616 of 2004

Between:

P. Vannur Sab, S/o. Nabi Sab,
Tarapuram (V), Peddakadabur (M), Kurnool District.

..... PETITIONER

AND

1 The Joint Collector, Kurnool.
2 The RDO Adoni, Kurnool District.
3 The MRO Peddakadabur Revenue Mandal, Peddakadabur, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or direction more particularly one in the nature of Writ of Mandamus directing the 1st respondent to pass appropriate orders in the appeal filed by the petitioner against the proceedings of the 2nd respondent, vide Rc.M.No. 782/2004, dt. 30-07-2004, consequently directing the respondents not to give effect to the proceedings in Rc.M.No.782/2004, dt. 30-07-2004 of the 2nd respondent, pending enquiry against the petitioner

Counsel for the Petitioner: MR.G.JAGADEESWAR

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

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ORDER:

Petitioner is the authorised dealer of the Fair Price Shop of Tarapuram village, Peddakadabaur Mandal, Kurnool District. Her authorisation has been suspended by the Revenue Divisional Officer, Adoni by proceedings dated 30.07.2004, pending enquiry into the alleged irregularities in distribution of Essential Commodities, which is under challenge in this writ petition.

Learned counsel for the petitioner submits all the allegations made against the petitioner are false and without any basis and at any rate they are trivial in nature and therefore the impugned order of suspension is unwarranted.

It is to be noted that against the impugned order, the petitioner has already preferred an appeal before the first respondent-Joint Collector, Kurnool along with an application for stay which is still pending.

Since the statutory appeal is pending, I am not inclined to express any opinion on merits of the case. Instead, I deem it appropriate to direct expeditious disposal of the application for stay pending before the 1st respondent. Further, in view of the plea of the petitioner that for the month of August, 2004, no alternative arrangement has been made so far for distribution of commodities and that for the month of August, 2004 the petitioner has already taken the necessary demand drafts towards cost of the Essential Commodities, it would also be appropriate to permit the petitioner to distribute the commodities for the month of August, 2004.

Accordingly, the writ petition is disposed of with a direction to the first respondent-Joint Collector, Kurnool to dispose of the application for stay filed by the petitioner in the appeal against the order of suspension, dated 30-07-2004 as expeditiously as possible, preferably with a period of one week from the date of receipt of this order.

In the meanwhile, there shall be a direction to the respondent 2 and 3 to release the essential commodities to the petitioner for the month of August, 2004.

Writ petition is disposed of with the above direction. No costs.

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01-09-2004

klp

To

1 The Joint Collector, Kurnool.
2 The RDO Adoni, Kurnool District.
3 The MRO Peddakadabur Revenue Mandal, Peddakadabur, Kurnool District.

4 2CCs to G.P. for Civil Supplies, High Court buildings,

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